



41, 10-16-03

Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 2876

UV-197

REV. 04/03

For Other Than A Small Entity

Applicants : Peter C. Boylan, III, et al.  
Application No. : 09/878,050 Confirmation No.: 1639  
Filed : June 8, 2001  
For : SYSTEM AND METHOD FOR USING PORTABLE  
DEVICE WITH A CODE SCANNER  
Group Art Unit : 2876  
Examiner : Steve S. Paik

RECEIVED  
OCT 20 2003  
TECH CENTER 1600/2900

Mail Stop AF  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

New York, New York  
October 14, 2003

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☐ a Supplemental Preliminary Amendment; ☒ a Reply to Final Office Action; ☐ a Supplemental Amendment; ☐ a substitute Specification; ☐ a Declaration; ☐ a Supplemental Declaration; ☐ a Power of Attorney; ☐ an Associate Power of Attorney; ☐ formal drawings; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.  
☐ A fee for additional claims is required.

RECEIVED  
OCT 23 2003  
TECH CENTER 1600/2900

Express Mail No.  
EV 132188509 US

The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	336	-	306	* =	0	X \$ 18 =	\$ 0.00
INDEPENDENT CLAIMS	26	-	26	** =	0	X \$ 86 =	\$ 0.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						+ \$290. =	\$ 0.00
						TOTAL	<u>\$ 0.00</u>

\* If less than 20, insert 20.

\*\* If less than 3, insert 3.

[ ] A check in the amount of \$\_\_\_\_\_ in payment of the filing fee is transmitted herewith.

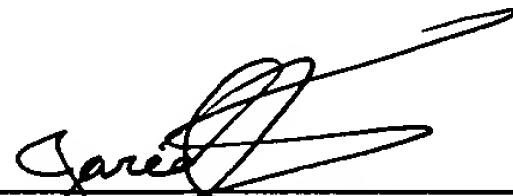
[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

[ ] The following extension is applicable to the Response filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$420.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [ ] \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,480.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$2,010.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- ☐ A check in the amount of ☐ \$110.00; ☐ \$420.00;  
☐ \$950.00; ☐ \$1,480.00; ☐ \$2,010.00 in payment of  
the extension fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of  
any additional fees required under 37 C.F.R. § 1.17 in  
connection with the paper(s) transmitted herewith, or to  
credit any overpayment of same, to Deposit Account No.  
06-1075. A duplicate copy of this transmittal letter is  
transmitted herewith.
- ☐ Please charge the ☐ \$110.00; ☐ \$420.00; ☐ \$950.00;  
☐ \$1,480.00; ☐ \$2,010.00; extension fee to Deposit  
Account No. 06-1075. A duplicate copy of this  
transmittal letter is transmitted herewith.



---

Jared Kneitel  
Registration No. 51,178  
Agent for Applicant  
FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000



PATENTS  
UV-197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Peter C. Boylan, III, et al.  
Application No.: 09/878,050 Confirmation No.: 18  
Filed : June 8, 2001  
For : SYSTEM AND METHOD FOR USING PORTABLE  
DEVICE WITH A CODE SCANNER  
Group Art Unit : 2876  
Examiner : Steve S. Paik

RECEIVED  
OCT 20 2003  
TECH CENTER 1600/2900

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

New York, New York 10020

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV 132188509 US

Date of Deposit: October 14, 2003

I hereby certify that this certification and the following papers and fees:

1. Transmittal Letter (in duplicate);
2. Reply to Final Office Action; and
3. Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop AF, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name:

Claire J. Saintil-van Goodman



REV. 04/03

For Other Than A Small Entity

Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 2876

Docket No. US 032

RECEIVED  
OCT 20 2003  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Peter C. Boylan, III, et al.

Application No.: 09/878,050 Confirmation No.: 1639

Filed : June 8, 2001

For : SYSTEM AND METHOD FOR USING  
PORTABLE DEVICE WITH A CODE SCANNER

Group Art Unit : 2876

Examiner : Steve S. Paik

New York, New York  
October 14, 2003

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

REPLY TO FINAL OFFICE ACTION

Sir:

In Reply to the Final Office Action mailed August 12,  
2003 please amend the claims as follows:

Amendments to the Claims are reflected in the listing  
of claims which begins on page 2 of this paper.

Remarks being on page 17 of this paper.

Express Mail No.  
EV 132188509 US

RECEIVED  
OCT 28 2003  
TECHNOLOGY CENTER 2800